

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
Smurfit-Stone Flexible)	NOTICE OF VIOLATION
Packaging)	
Schaumburg, Illinois)	EPA-5-03-02-IL
)	
)	
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	

NOTICE OF VIOLATION

The United States Environmental Protection Agency (U.S.EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S.EPA finds that Smurfit-Stone Flexible Packaging (Smurfit) is violating the Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On September 9, 1994, U.S. EPA approved 35 Ill. Admin. Code Part 218, as part of the federally enforceable SIP for Illinois. 59 Fed. Reg. 46562. This includes 35 Ill. Admin. Code §§218.401-404, Subpart H, which contains requirements applicable to printing and publishing operations.
2. 35 Ill. Admin. Code § 218.401(c)(2) states that no owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line which uses an incineration system and is equipped with a capture and control device shall operate the subject printing line unless the owner or operator reduces the captured VOM emissions by at least 90 percent by weight.
3. 35 Ill. Admin. Code § 218.402(a) states that the limitations of 35 Ill. Admin. Code § 218.401 apply to all flexographic and rotogravure printing lines at a subject source if the maximum theoretical emissions of VOM from all printing lines ever exceed 100 tons per year, or the potential to emit is 25 tons per year or more of VOM.


Smurfit's Facility

4. Smurfit owns and operates a printing facility located at 1228 East Tower Road, Schaumburg, Illinois.
5. Smurfit's Schaumburg, Illinois facility contains rotogravure and flexographic printing lines which are equipped with a capture system and control device.
6. The maximum theoretical VOM emissions from Smurfit's rotogravure and flexographic printing lines exceed 100 tons per year; the potential VOM emissions from Smurfit's rotogravure and flexographic printing lines exceed 25 tons per year.
7. On July 11, 2002, U.S. EPA issued a Request for Information to Smurfit under Section 114 of the Act. The Request for Information required Smurfit to conduct capture and destruction efficiency testing on all the rotogravure and flexographic presses at its Schaumburg facility to determine compliance with applicable SIP requirements. This included testing on the catalytic incinerator that controls flexographic printing line #410.
8. During the week of September 23, 2002, Smurfit performed preliminary testing and calculations of the catalytic incinerator's destruction efficiency, prior to conducting the testing required by U.S. EPA's July 11, 2002 Request for Information.
9. At that time, preliminary calculations based on the data collected suggested a problem with the operation of the catalytic incinerator. More specifically, this data indicated that the catalytic incinerator was only achieving a destruction efficiency of approximately 41% by weight. As a result, Smurfit discontinued testing of the catalytic incinerator at that time.

Violations

10. Smurfit has operated its flexographic printing line #410 with a VOM destruction efficiency of less than 90 percent by weight, in violaton of 35 Ill. Admin. Code § 218.401(c)(2).

11/22/2002
Date



Stephen Rothblatt, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, No. EPA-5-03-02-IL, by Certified Mail, Return Receipt Requested, to:

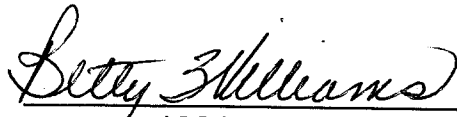
Norman Humitz
Environmental Manager
Smurfit Stone Flexible Packaging
1228 East Tower Road
Schaumburg, Illinois 60173

I also certify that I sent copies of the Notice of Violation by first class mail to:

Julie Armitage, Acting Manager
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, Illinois 62702

Harish Narayan, Acting Regional Manager
Region 1
Illinois Environmental Protection Agency
9511 West Harrison Street
Desplaines, Illinois 60016

on the 25th day of November, 2002.


Betty William, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7001032000060178 3868